

Attorney Docket No. 25216-0882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

E. Michael LUNSFORD

Serial No.: 10/043,552

Filing Date: January 8, 2002

For: ELECTRONICALLY-ENABLED ENCASEMENT
FOR A HANDHELD COMPUTER

Examiner: NYA

Group Art Unit: 2181

Commissioner for Patents
Washington, D.C. 20231**PETITION TO HAVE ITEM DETERMINED TO HAVE BEEN DEPOSITED IN THE
USPTO WITH THE NON-PROVISIONAL APPLICATION PAPERS
(UNDER 37 C.F.R §1.182)**

Sir:

Applicant hereby respectfully petitions to have alleged omitted items, Pages 37 and 38 of the specification, to be determined to have been deposited in the U.S. Patent and Trademark Office (USPTO) with the non-provisional application papers filed on January 8, 2002.

In furtherance of this petition, the following items are included:

1. A copy of the Notice of Omitted Item(s) in a NonProvisional Application;
2. A copy of the stamped Acknowledgment Receipt, indicating "Copy of parent specification (40 pgs)" submitted and received by the USPTO as evidenced by the stamp;
3. A copy of the Utility Patent Application Transmittal form, indicating 40 total pages of Specification enclosed;
4. Copies of pages 37 and 38, as filed; and
5. Please charge the petition fee of \$130.00 to Deposit Account 50-1302.

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OFFICE OF PETITIONS

Attorney Docket No. 25216-0882

With this petition, the undersigned represents that copies of pages 37 and 38 were present with the application as filed on January 8, 2002. The stamped and Acknowledgement Receipt of the postcard indicating 40 pages of specification is clear evidence that pages 37 and 38 were included in the filing, and that this petition is proper.

Applicant further petitions for a one-month extension of time to respond to the Notice of Omitted Items in a Nonprovisional Application, the statutory period of which expires July 5, 2002. Please charge the extension of time fee of \$110.00 to Deposit Account 50-1302.

Although the mailing date of the Notice was April 5, 2002, the Notice was not received until June 22, 2002. Applicant requested a copy of the Official Filing Receipt, which Applicant had not received. The Notice was included with the Replacement Filing Receipt, mailed June 20, 2002 (copies included). Applicant respectfully requests that the fee under 37 C.F.R. 1.17(a) be waived.

The Commissioner is hereby authorized to charge payment of any fees associated with this petition or credit any overpayment, to Deposit Account No. 50-1302, including any fees under 37 CFR 1.17. Applicant requests that the petition fee be refunded after a favorable determination of this petition.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Date: 7/3/02

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. (703) 305-9822

on 7-3-02

by Linda Taylor